

REMARKS

According to the Office Action, claims 1-8 and 15-22 stand rejected under 35 U.S.C. 103(a) for allegedly being unpatentable over U.S. Patent 5,693,876 (Ghitea, Jr. et al.) and U.S. Patent 6,289,332 (Menig) and U.S. Patent 5,551,803 (Hosaka et al.). For the following reasons, this rejection is respectfully traversed.

It appears from the rejection of these claims that the Examiner is using hindsight reconstruction to reject the claims, in view of well known principles in patent law against hindsight reconstruction to make a prima facie case of obviousness. ("Determination of obviousness cannot be based on the hindsight combination of components selectively culled from the prior art to fit the parameters of the patented invention," Crown Operations Int'l v. Solutia Inc., 289 F.3d 1367, 1376 (Fed. Cir. 2002)).

For example, in the Ghitea reference, the displays shown in Figures 5 and 7 are cited because they allegedly show two sets of information (e.g., lines 150 and 152 of Figure 7) having an interrelated effect being displayed as a comparison by graphical representation. However, the claims require that the two sets of information displayed in the same type graphics (e.g., both bar graphs). It is the same type graphics that allow a driver to easily compare the information without reading numerical information. In the case of the Ghitea patent, the fuel economy information 159 in line 150 is displayed graphically as vertical lines, and the miles per gallon information 160 in line is displayed numerically. From a driver's point of view, the comparison of the information does not appear to be easy because of the different manner in which the information is displayed.

Similarly, in the Menig reference, the displays 910 and 902 shown in Figure 9 are cited because they allegedly show two sets of information displayed at the same place alternating with the same type of graphics. However, the claims require that the two sets of information are displayed as a comparison. In

the Menig reference, there is no comparison made between the information 906 shown in display 910 and the information shown in display 908. In particular, the triangle shape indicator 906 appears when there is an object 350 ft feet away from the vehicle (col. 12, lines 25-29). On the other hand, the triangle shape indicators of display 908 graphically displays a creep alert when there is an object less than 15 feet away, and the vehicle is moving two miles per hour or less. Both these information 910 and 908 are distinct and are not comparison information as recited in the claims.

The Hosaka reference, as with the Ghitea reference, shows a display that provides information in numerical form, and not in the same type graphical representation as recited in the claims. As discussed above, the numerical information is much more difficult to ascertain and compare by a driver, who needs to pay more attention to the road ahead.

As discussed above, the selection of these references and the reasons stated in the Office Action appear to indicate that the Examiner is inappropriately using hindsight reconstruction to allegedly arrive at the claimed invention. None of these references describe or suggest the display of two sets of information, having an interrelated effect, as a comparison by graphical representation, wherein the information is displayed at the same place alternating with the same type of graphics, as recited in the claims. For these reasons, this rejection is respectfully traversed.

According to the Office Action, claims 23-30 stand rejected under 35 U.S.C. 103(a) for allegedly being unpatentable over the Ghitea and Menig references and European Patent Application 0091887 (Cerruti). For the same reasons outlined above, this rejection is respectfully traversed. Further, the Cerruti reference, similar to the Hosaka reference, only describes the displaying of numerical information.

In view of the foregoing arguments, allowance of this patent application is respectfully requested.

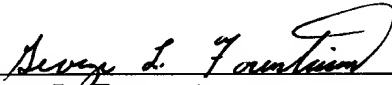
Applicants respectfully submit that the application is now in condition for allowance. If there are any questions regarding this Response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response. Please charge any such fee or any deficiency in fees, or credit any overpayment of fees, to Deposit Account No. 05-1323 (Docket 080497.49289US).

Respectfully submitted,

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Cathy M. FitzGerald February 13, 2006